

USSN 09/681,968

Response to Office Action dated June 28, 2005

Page 12

## **REMARKS/ARGUMENTS**

Claims 79-86 were rejected under 35 U.S.C. 103(a) as being unpatentable over Cook et al. (U.S. Patent 5,860,068) in view of Lewine (U.S. Patent 5,784,565) and further in view of [www.fcc.gov/cgb/consumerfacts/cellphonefraud.html](http://www.fcc.gov/cgb/consumerfacts/cellphonefraud.html) ("FCC"). Applicant and Examiner conducted a personal interview on August 23, 2005 to resolve the claim rejections. The arguments presented at the interview are summarized herein.

After discussing the ESN/MIN limitation in further detail, Applicant amends claims 39, 61, 69, 74, and 81 to further clarify that ESN/MINs are used instead of or in conjunction traditional serial numbers. This clarification is not intended to prohibit software from utilizing both an ESN/MIN and a traditional serial number; however utilizing ESN/MIN for purposes of inventory tracking is advantageous because it utilizes a number typically used for mobile telephone communication with the mobile telephone communication tower for inventory tracking purposes. Additionally, the claims were amended to clarify that the ESN/MIN database corresponds to actual inventory.

No new matter is presented by the amendment. The following arguments relate to all pending claims (as amended) in the application.

The claimed invention is directed towards a system that allows end-users and retailers to place orders with a distributor of wireless communications devices

USSN 09/681,968

Response to Office Action dated June 28, 2005

Page 13

and review the status of existing orders of serialized wireless communication devices. The MIN or ESN number in the claimed invention is a unique serialized identifier for each unit unlike the generic products in the cited prior art. The use of ESN and MIN in applicant's invention is not motivated by the same concerns over security as the FCC reference. Applicant's invention uses the ESN and MIN for inventory tracking purposes such as in a warehouse or other storage or processing facility where stocks of the wireless handsets are maintained for distribution from manufacturers to retailers and ultimately to the end users. This is different from any of the prior art of record because ESN/MIN numbers are typically not used by distributors for inventory tracking purposes. While manufacturers or retailers typically track traditional serial numbers, distributors are typically oblivious to the use of serial numbers. As such, it would not be obvious for a distributor to utilize ESN/MIN numbers for inventory tracking.

Wireless communication device ordering is significantly more complex than typical e-commerce for a generic product. When a retailer or end-user orders a wireless communication device, the distributor typically associates a specific ESN or MIN with the customer's order and assigns a telephone number and/or IP address from the carrier or other service provider to that specific device. In contrast, prior art systems such as Lewine utilize e-commerce for generic items.

USSN 09/681,968

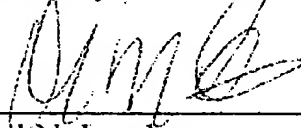
Response to Office Action dated June 28, 2005

Page 14

Furthermore, there is no motivation to combine the FCC reference with either Cook or Lewine. Cook and Lewine are related to e-commerce systems for the ordering of generic, non-serialized items. The FCC reference discusses mobile communication device fraud via cloning ESN/MIN numbers from mobile communication device handsets and fails to relate to the claimed wireless communication device inventory management system.

In view of the foregoing, reconsideration of this application as amended and allowance of all claims are respectfully requested. The undersigned is available by telephone if any remaining issues can be resolved in this manner.

Respectfully submitted,



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